

114TH CONGRESS
1ST SESSION

H. R. 1471

To reauthorize the programs and activities of the Federal Emergency
Management Agency.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2015

Mr. BARLETTA (for himself, Mr. CARSON of Indiana, Mr. SHUSTER, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To reauthorize the programs and activities of the Federal
Emergency Management Agency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “FEMA Disaster Assistance Reform Act of 2015”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEMA REAUTHORIZATION

Sec. 101. Reauthorization of Federal Emergency Management Agency.

TITLE II—COMPREHENSIVE STUDY OF DISASTER COSTS AND
LOSSES

Sec. 201. Comprehensive study of disaster costs and losses.

TITLE III—STAFFORD ACT AND OTHER PROGRAMS

Sec. 301. Reauthorization of urban search and rescue response system.

Sec. 302. Reauthorization of emergency management assistance compact grants.

Sec. 303. Physical testing standards for electric utility facilities.

Sec. 304. Nonprofit facilities.

Sec. 305. Statute of limitations.

Sec. 306. Action plan to improve field transition.

Sec. 307. Simplified procedures.

Sec. 308. Management costs.

Sec. 309. Debts owed to the United States related to disaster assistance.

Sec. 310. Statute of limitations for debts owed to the United States related to disaster assistance.

TITLE IV—WILDFIRE PREVENTION AND MITIGATION

Sec. 401. Wildfire mitigation assistance.

Sec. 402. Additional activities.

1 **TITLE I—FEMA**
2 **REAUTHORIZATION**
3 **SEC. 101. REAUTHORIZATION OF FEDERAL EMERGENCY**
4 **MANAGEMENT AGENCY.**

5 Section 699 of the Post-Katrina Emergency Manage-
6 ment Reform Act of 2006 (Public Law 109–295; 6 U.S.C.
7 811) is amended—

8 (1) by striking “administration and operations”
9 each place it appears and inserting “management
10 and administration”; and

11 (2) in paragraph (2), by striking “; and”;

12 (3) in paragraph (3), by striking the period and
13 inserting “; and”; and

14 (4) by adding at the end the following:

15 “(4) for fiscal year 2016, \$946,982,000;

1 “(5) for fiscal year 2017, \$946,982,000; and

2 “(6) for fiscal year 2018, \$946,982,000.”.

3 **TITLE II—COMPREHENSIVE**
4 **STUDY OF DISASTER COSTS**
5 **AND LOSSES**

6 **SEC. 201. COMPREHENSIVE STUDY OF DISASTER COSTS**
7 **AND LOSSES.**

8 (a) ESTABLISHMENT.—Not later than 30 days after
9 the date of enactment of this Act, the Administrator of
10 the Federal Emergency Management Agency shall com-
11 mence, through the National Advisory Council, a com-
12 prehensive study related to disaster costs and losses (re-
13 ferred to in the subsection as the “Study”).

14 (b) ADDITIONAL MEMBERSHIP.—For the purposes of
15 the Study, as soon as practicable after the date of enact-
16 ment of this section, the Administrator shall appoint addi-
17 tional qualified members to the National Advisory Council
18 from the following:

19 (1) Individuals that have the requisite technical
20 knowledge and expertise on issues related to disaster
21 costs and losses.

22 (2) Representatives of the insurance industry.

23 (3) Experts in and representatives of the con-
24 struction and building industry.

1 (4) Individuals nominated by national organiza-
2 tions representing local governments and personnel.

3 (5) Academic experts.

4 (6) Vendors, developers, and manufacturers of
5 systems, facilities, equipment, and capabilities for
6 emergency management services.

7 (7) Representatives of such other stakeholders
8 and interested and affected parties as the Adminis-
9 trator considers appropriate.

10 (c) CONSULTATION WITH NONMEMBERS.—The Na-
11 tional Advisory Council shall consult with other relevant
12 agencies and groups that are not represented on the Na-
13 tional Advisory Council to consider research, data, find-
14 ings, recommendations, innovative technologies and devel-
15 opments, including—

16 (1) entities engaged in federally funded re-
17 search; and

18 (2) academic institutions engaged in relevant
19 work and research.

20 (d) RECOMMENDATIONS.—Not later than 120 days
21 after the date of enactment of this Act, the National Advi-
22 sory Council shall convene to evaluate the following topics
23 and develop recommendations for reducing disaster costs
24 and losses:

25 (1) DISASTER LOSSES.—

1 (A) COST TRENDS.—Trends in disaster
2 costs including loss of life and injury, property
3 damage to individuals, the private sector, and
4 each level of government (State, local and trib-
5 al) since the enactment of the Robert T. Staf-
6 ford Disaster Relief and Emergency Assistance
7 Act (42 U.S.C. 5141 et seq.), to the extent data
8 is available.

9 (B) CONTRIBUTING FACTORS.—Contrib-
10 uting factors such as shifting demographics and
11 aging infrastructure and their impacts on the
12 trends in disaster losses and costs.

13 (2) DISASTER COSTS.—

14 (A) TRENDS IN DECLARATIONS.—Trends
15 in disaster declarations, including factors con-
16 tributing to the trends.

17 (B) DISASTER ASSISTANCE.—Disaster as-
18 sistance available from all Federal sources, in-
19 cluding descriptions of programs, eligibility and
20 authorities, where assistance has been used geo-
21 graphically, how quickly the funds are used,
22 how that assistance is coordinated among the
23 various agencies and departments, and rec-
24 ommendations for ways to improve the effec-

1 tiveness and efficiency of the delivery of such
2 assistance.

3 (C) COSTS.—Disaster costs borne by the
4 private sector and individuals.

5 (3) DISASTER ROLES AND RESPONSIBILITY.—
6 Fundamental principles that should drive national
7 disaster assistance decision making, including the
8 appropriate roles for each level of government, the
9 private sector and individuals.

10 (4) REDUCTION OF COSTS AND LOSSES.—

11 (A) MECHANISMS AND INCENTIVES.—
12 Mechanisms and incentives to promote disaster
13 cost reduction and mitigation, including cost
14 data, projections for the return on investment,
15 and measures of effectiveness.

16 (B) IDENTIFICATION OF CHALLENGES.—
17 Identify fundamental legal, societal, geographic
18 and technological challenges to implementation.

19 (5) LEGISLATIVE PROPOSALS.—Legislative pro-
20 posals for implementing the recommendations in the
21 report compiled pursuant to the requirement in sec-
22 tion 1111 of the Sandy Recovery Improvement Act
23 of 2013 (Public Law 113–2).

24 (e) REPORT TO ADMINISTRATOR AND CONGRESS.—
25 Not later than 1 year after the date of enactment of this

1 section, the National Advisory Council shall submit a re-
2 port containing the data, analysis, and recommendations
3 developed under subsection (d) to—

4 (1) the Administrator of the Federal Emer-
5 gency Management Agency;

6 (2) the Committee on Transportation and In-
7 frastructure of the House of Representatives; and

8 (3) the Committee on Homeland Security and
9 Governmental Affairs of the Senate.

10 **TITLE III—STAFFORD ACT AND** 11 **OTHER PROGRAMS**

12 **SEC. 301. REAUTHORIZATION OF URBAN SEARCH AND RES-** 13 **CUE RESPONSE SYSTEM.**

14 (a) IN GENERAL.—Title III of the Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act (42 U.S.C.
16 5141 et seq.) is amended by adding at the end the fol-
17 lowing:

18 **“SEC. 327. NATIONAL URBAN SEARCH AND RESCUE RE-** 19 **SPONSE SYSTEM.**

20 “(a) DEFINITIONS.—In this section, the following
21 definitions apply:

22 “(1) ADMINISTRATOR.—The term ‘Adminis-
23 trator’ means the Administrator of the Federal
24 Emergency Management Agency.

1 “(2) AGENCY.—The term ‘Agency’ means the
2 Federal Emergency Management Agency.

3 “(3) HAZARD.—The term ‘hazard’ has the
4 meaning given that term by section 602.

5 “(4) NONEMPLOYEE SYSTEM MEMBER.—The
6 term ‘nonemployee System member’ means a System
7 member not employed by a sponsoring agency or
8 participating agency.

9 “(5) PARTICIPATING AGENCY.—The term ‘par-
10 ticipating agency’ means a State or local govern-
11 ment, nonprofit organization, or private organization
12 that has executed an agreement with a sponsoring
13 agency to participate in the System.

14 “(6) SPONSORING AGENCY.—The term ‘spon-
15 soring agency’ means a State or local government
16 that is the sponsor of a task force designated by the
17 Administrator to participate in the System.

18 “(7) SYSTEM.—The term ‘System’ means the
19 National Urban Search and Rescue Response Sys-
20 tem to be administered under this section.

21 “(8) SYSTEM MEMBER.—The term ‘System
22 member’ means an individual who is not a full-time
23 employee of the Federal Government and who serves
24 on a task force or on a System management or other
25 technical team.

1 “(9) TASK FORCE.—The term ‘task force’
2 means an urban search and rescue team designated
3 by the Administrator to participate in the System.

4 “(b) GENERAL AUTHORITY.—Subject to the require-
5 ments of this section, the Administrator shall continue to
6 administer the emergency response system known as the
7 National Urban Search and Rescue Response System.

8 “(c) FUNCTIONS.—In administering the System, the
9 Administrator shall provide for a national network of
10 standardized search and rescue resources to assist States
11 and local governments in responding to hazards.

12 “(d) TASK FORCES.—

13 “(1) DESIGNATION.—The Administrator shall
14 designate task forces to participate in the System.
15 The Administration shall determine the criteria for
16 such participation.

17 “(2) SPONSORING AGENCIES.—Each task force
18 shall have a sponsoring agency. The Administrator
19 shall enter into an agreement with the sponsoring
20 agency with respect to the participation of each task
21 force in the System.

22 “(3) COMPOSITION.—

23 “(A) PARTICIPATING AGENCIES.—A task
24 force may include, at the discretion of the spon-
25 soring agency, one or more participating agen-

1 cies. The sponsoring agency shall enter into an
2 agreement with each participating agency with
3 respect to the participation of the participating
4 agency on the task force.

5 “(B) OTHER INDIVIDUALS.—A task force
6 may also include, at the discretion of the spon-
7 soring agency, other individuals not otherwise
8 associated with the sponsoring agency or a par-
9 ticipating agency. The sponsoring agency of a
10 task force may enter into a separate agreement
11 with each such individual with respect to the
12 participation of the individual on the task force.

13 “(e) MANAGEMENT AND TECHNICAL TEAMS.—The
14 Administrator shall maintain such management teams and
15 other technical teams as the Administrator determines are
16 necessary to administer the System.

17 “(f) APPOINTMENT OF SYSTEM MEMBERS INTO
18 FEDERAL SERVICE.—

19 “(1) IN GENERAL.—The Administrator may ap-
20 point a System member into Federal service for a
21 period of service to provide for the participation of
22 the System member in exercises, preincident staging,
23 major disaster and emergency response activities,
24 and training events sponsored or sanctioned by the
25 Administrator.

1 “(2) NONAPPLICABILITY OF CERTAIN CIVIL
2 SERVICE LAWS.—The Administrator may make ap-
3 pointments under paragraph (1) without regard to
4 the provisions of title 5, United States Code, gov-
5 erning appointments in the competitive service.

6 “(3) RELATIONSHIP TO OTHER AUTHORI-
7 TIES.—The authority of the Administrator to make
8 appointments under this subsection shall not affect
9 any other authority of the Administrator under this
10 Act.

11 “(4) LIMITATION.—A System member who is
12 appointed into Federal service under paragraph (1)
13 shall not be considered an employee of the United
14 States for purposes other than those specifically set
15 forth in this section.

16 “(g) COMPENSATION.—

17 “(1) PAY OF SYSTEM MEMBERS.—Subject to
18 such terms and conditions as the Administrator may
19 impose by regulation, the Administrator shall make
20 payments to the sponsoring agency of a task force—

21 “(A) to reimburse each employer of a Sys-
22 tem member on the task force for compensation
23 paid by the employer to the System member for
24 any period during which the System member is

1 appointed into Federal service under subsection
2 (f)(1); and

3 “(B) to make payments directly to a non-
4 employee System member on the task force for
5 any period during which the non-employee Sys-
6 tem member is appointed into Federal service
7 under subsection (f)(1).

8 “(2) REIMBURSEMENT FOR EMPLOYEES FILL-
9 ING POSITIONS OF SYSTEM MEMBERS.—

10 “(A) IN GENERAL.—Subject to such terms
11 and conditions as the Administrator may im-
12 pose by regulation, the Administrator shall
13 make payments to the sponsoring agency of a
14 task force to reimburse each employer of a Sys-
15 tem member on the task force for compensation
16 paid by the employer to an employee filling a
17 position normally filled by the System member
18 for any period during which the System mem-
19 ber is appointed into Federal service under sub-
20 section (f)(1).

21 “(B) LIMITATION.—Costs incurred by an
22 employer shall be eligible for reimbursement
23 under subparagraph (A) only to the extent that
24 the costs are in excess of the costs that would
25 have been incurred by the employer had the

1 System member not been appointed into Fed-
2 eral service under subsection (f)(1).

3 “(3) METHOD OF PAYMENT.—A System mem-
4 ber shall not be entitled to pay directly from the
5 Agency for a period during which the System mem-
6 ber is appointed into Federal service under sub-
7 section (f)(1).

8 “(h) PERSONAL INJURY, ILLNESS, DISABILITY, OR
9 DEATH.—

10 “(1) IN GENERAL.—A System member who is
11 appointed into Federal service under subsection
12 (f)(1) and who suffers personal injury, illness, dis-
13 ability, or death as a result of a personal injury sus-
14 tained while acting in the scope of such appointment
15 shall, for the purposes of subchapter I of chapter 81
16 of title 5, United States Code, be treated as though
17 the member were an employee (as defined by section
18 8101 of that title) who had sustained the injury in
19 the performance of duty.

20 “(2) ELECTION OF BENEFITS.—

21 “(A) IN GENERAL.—If a System member
22 (or, in the case of the death of the System
23 member, the System member’s dependent) is
24 entitled—

1 “(i) under paragraph (1) to receive
2 benefits under subchapter I of chapter 81
3 of title 5, United States Code, by reason of
4 personal injury, illness, disability, or death,
5 and

6 “(ii) to receive benefits from a State
7 or local government by reason of the same
8 personal injury, illness, disability, or death,
9 the System member or dependent shall elect to
10 receive either the benefits referred to in clause
11 (i) or (ii).

12 “(B) DEADLINE.—A System member or
13 dependent shall make an election of benefits
14 under subparagraph (A) not later than 1 year
15 after the date of the personal injury, illness,
16 disability, or death that is the reason for the
17 benefits or until such later date as the Sec-
18 retary of Labor may allow for reasonable cause
19 shown.

20 “(C) EFFECT OF ELECTION.—An election
21 of benefits made under this paragraph is irrev-
22 ocable unless otherwise provided by law.

23 “(3) REIMBURSEMENT FOR STATE OR LOCAL
24 BENEFITS.—Subject to such terms and conditions as
25 the Administrator may impose by regulation, in the

1 event that a System member or dependent elects
2 benefits from a State or local government under
3 paragraph (2)(A), the Administrator shall reimburse
4 the State or local government for the value of those
5 benefits.

6 “(i) LIABILITY.—A System member appointed into
7 Federal service under subsection (f)(1), while acting with-
8 in the scope of the appointment, is deemed an employee
9 of the Federal Government under section 1346(b) of title
10 28, United States Code, and chapter 171 of that title, re-
11 lating to tort claims procedure.

12 “(j) EMPLOYMENT AND REEMPLOYMENT RIGHTS.—
13 With respect to a System member who is not a regular
14 full-time employee of a sponsoring agency or participating
15 agency, the following terms and conditions apply:

16 “(1) SERVICE.—Service as a System member is
17 deemed ‘service in the uniformed services’ for pur-
18 poses of chapter 43 of title 38, United States Code,
19 relating to employment and reemployment rights of
20 individuals who have performed service in the uni-
21 formed services (regardless of whether the individual
22 receives compensation for such participation). All
23 rights and obligations of such persons and proce-
24 dures for assistance, enforcement, and investigation
25 shall be as provided for in such chapter.

1 “(2) PRECLUSION.—Preclusion of giving notice
2 of service by necessity of appointment under this
3 section is deemed preclusion by ‘military necessity’
4 for purposes of section 4312(b) of title 38, United
5 States Code, pertaining to giving notice of absence
6 from a position of employment. A determination of
7 such necessity shall be made by the Administrator
8 and shall not be subject to judicial review.

9 “(k) LICENSES AND PERMITS.—If a System member
10 holds a valid license, certificate, or other permit issued by
11 any State or other governmental jurisdiction evidencing
12 the member’s qualifications in any professional, mechan-
13 ical, or other skill or type of assistance required by the
14 System, the System member is deemed to be performing
15 a Federal activity when rendering aid involving such skill
16 or assistance during a period of appointment into Federal
17 service under subsection (f)(1).

18 “(l) ADVISORY COMMITTEE.—

19 “(1) IN GENERAL.—The Administrator shall es-
20 tablish and maintain an advisory committee to pro-
21 vide expert recommendations to the Administrator in
22 order to assist the Administrator in administering
23 the System.

1 “(2) COMPOSITION.—The advisory committee
2 shall be composed of members from geographically
3 diverse areas, and shall include—

4 “(A) the chief officer or senior executive
5 from at least three sponsoring agencies;

6 “(B) the senior emergency manager from
7 at least two States that include sponsoring
8 agencies; and

9 “(C) at least one representative rec-
10 ommended by the leaders of the task forces.

11 “(3) INAPPLICABILITY OF TERMINATION RE-
12 QUIREMENT.—Section 14(a)(2) of the Federal Advi-
13 sory Committee Act (5 U.S.C. App.) shall not apply
14 to the advisory committee under this subsection.

15 “(m) PREPAREDNESS COOPERATIVE AGREE-
16 MENTS.—

17 “(1) IN GENERAL.—Subject to the availability
18 of appropriations for such purpose, the Adminis-
19 trator shall enter into an annual preparedness coop-
20 erative agreement with each sponsoring agency.
21 Amounts made available to a sponsoring agency
22 under such a preparedness cooperative agreement
23 shall be for the following purposes:

1 “(A) Training and exercises, including
2 training and exercises with other Federal,
3 State, and local government response entities.

4 “(B) Acquisition and maintenance of
5 equipment, including interoperable communica-
6 tions and personal protective equipment.

7 “(C) Medical monitoring required for re-
8 sponder safety and health in anticipation of and
9 following a major disaster, emergency, or other
10 hazard, as determined by the Administrator.

11 “(2) AVAILABILITY OF APPROPRIATIONS.—Not-
12 withstanding section 1552(b) of title 31, United
13 States Code, amounts made available for cooperative
14 agreements under this subsection that are not ex-
15 pended shall be deposited in an agency account and
16 shall remain available for such agreements without
17 fiscal year limitation.

18 “(n) RESPONSE COOPERATIVE AGREEMENTS.—The
19 Administrator shall enter into a response cooperative
20 agreement with each sponsoring agency, as appropriate,
21 under which the Administrator agrees to reimburse the
22 sponsoring agency for costs incurred by the sponsoring
23 agency in responding to a major disaster or emergency.

1 “(o) OBLIGATIONS.—The Administrator may incur
2 all necessary obligations consistent with this section in
3 order to ensure the effectiveness of the System.

4 “(p) AUTHORIZATION OF APPROPRIATIONS.—

5 “(1) IN GENERAL.—There is authorized to be
6 appropriated to carry out the System and the provi-
7 sions of this section \$35,180,000 for each of fiscal
8 years 2016, 2017, and 2018.

9 “(2) ADMINISTRATIVE EXPENSES.—The Ad-
10 ministrator may use not to exceed 6 percent of the
11 funds appropriated for a fiscal year pursuant to
12 paragraph (1) for salaries, expenses, and other ad-
13 ministrative costs incurred by the Administrator in
14 carrying out this section.”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) APPLICABILITY OF TITLE 5, UNITED
17 STATES CODE.—Section 8101(1) of title 5, United
18 States Code, is amended—

19 (A) in subparagraph (D) by striking “and”
20 at the end;

21 (B) by moving subparagraph (F) to appear
22 after subparagraph (E);

23 (C) in subparagraph (F)—

24 (i) by striking “United States Code,”;

25 and

1 (ii) by adding “and” at the end; and

2 (D) by inserting after subparagraph (F)

3 the following:

4 “(G) an individual who is a System mem-
5 ber of the National Urban Search and Rescue
6 Response System during a period of appoint-
7 ment into Federal service pursuant to section
8 327 of the Robert T. Stafford Disaster Relief
9 and Emergency Assistance Act;”.

10 (2) INCLUSION AS PART OF UNIFORMED SERV-
11 ICES FOR PURPOSES OF USERRA.—Section 4303 of
12 title 38, United States Code, is amended—

13 (A) in paragraph (13) by inserting “, a pe-
14 riod for which a System member of the Na-
15 tional Urban Search and Rescue Response Sys-
16 tem is absent from a position of employment
17 due to an appointment into Federal service
18 under section 327 of the Robert T. Stafford
19 Disaster Relief and Emergency Assistance Act”
20 before “, and a period”; and

21 (B) in paragraph (16) by inserting after
22 “Public Health Service,” the following: “System
23 members of the National Urban Search and
24 Rescue Response System during a period of ap-
25 pointment into Federal service under section

1 327 of the Robert T. Stafford Disaster Relief
2 and Emergency Assistance Act,”.

3 **SEC. 302. REAUTHORIZATION OF EMERGENCY MANAGE-**
4 **MENT ASSISTANCE COMPACT GRANTS.**

5 (a) IN GENERAL.—Subtitle A of title VI of the Rob-
6 ert T. Stafford Disaster Relief and Emergency Assistance
7 Act (42 U.S.C. 5196 et seq.) is amended by adding at
8 the end the following:

9 **“SEC. 617. EMERGENCY MANAGEMENT ASSISTANCE COM-**
10 **PACT GRANTS.**

11 “(a) IN GENERAL.—The Administrator of the Fed-
12 eral Emergency Management Agency may make grants to
13 provide for implementation of the Emergency Manage-
14 ment Assistance Compact consented to by Congress in the
15 joint resolution entitled ‘Joint resolution granting the con-
16 sent of Congress to the Emergency Management Assist-
17 ance Compact’ (Public Law 104–321; 110 Stat. 3877).

18 “(b) ELIGIBLE GRANT RECIPIENTS.—States and the
19 Administrator of the Emergency Management Assistance
20 Compact shall be eligible to receive grants under sub-
21 section (a).

22 “(c) USE OF FUNDS.—A grant received under this
23 section shall be used—

24 “(1) to carry out recommendations identified in
25 the Emergency Management Assistance Compact

1 after-action reports for the 2004 and 2005 hurricane
2 seasons;

3 “(2) to administer compact operations on behalf
4 of States, as such term is defined in the compact,
5 that have enacted the compact;

6 “(3) to continue coordination with the Federal
7 Emergency Management Agency and appropriate
8 Federal agencies;

9 “(4) to continue coordination with States and
10 local governments and their respective national orga-
11 nizations; and

12 “(5) to assist State and local governments,
13 emergency response providers, and organizations
14 representing such providers with credentialing the
15 providers and the typing of emergency response re-
16 sources.

17 “(d) COORDINATION.—The Administrator of the
18 Federal Emergency Management Agency shall consult
19 with the Administrator of the Emergency Management
20 Assistance Compact to ensure effective coordination of ef-
21 forts in responding to requests for assistance.

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to carry out this section
24 \$2,000,000 for each of the fiscal years 2016, 2017, and
25 2018. Such sums shall remain available until expended.”.

1 (b) REPEAL.—Section 661 of the Post-Katrina
2 Emergency Management Reform Act of 2006 (Public Law
3 109–295; 6 U.S.C. 761) is repealed.

4 **SEC. 303. PHYSICAL TESTING STANDARDS FOR ELECTRIC**
5 **UTILITY FACILITIES.**

6 (a) STUDY.—The Administrator of the Federal
7 Emergency Management Agency shall conduct a study to
8 compare the differences between—

9 (1) the physical testing standards that the Ad-
10 ministrator applies with respect to electric utility fa-
11 cilities as a condition for Federal assistance; and

12 (2) the physical testing standards that are ap-
13 plied to electric utility facilities by the electric utili-
14 ties industry and by the Rural Utilities Service of
15 the Department of Agriculture.

16 (b) REPORT.—Not later than 180 days after the date
17 of enactment of this Act, the Administrator shall submit
18 to the Committee on Transportation and Infrastructure
19 of the House of Representatives and the Committee on
20 Homeland Security and Governmental Affairs Committee
21 of the Senate a report on the results of the study.

22 (c) FUNDING.—The Administrator shall carry out
23 this section using funds available to the Administrator for
24 management and expenses.

1 **SEC. 304. NONPROFIT FACILITIES.**

2 (a) DEFINITION OF PRIVATE NONPROFIT FACIL-
3 ITY.—Section 102(11)(B) of the Robert T. Stafford Dis-
4 aster Relief and Emergency Assistance Act (42 U.S.C.
5 5122(11)(B)) is amended to read as follows:

6 “(B) ADDITIONAL FACILITIES.—In addi-
7 tion to the facilities described in subparagraph
8 (A), the term ‘private nonprofit facility’ in-
9 cludes any private nonprofit facility that pro-
10 vides essential services of a governmental na-
11 ture to the general public (including museums,
12 zoos, performing arts facilities, community arts
13 centers, libraries, homeless shelters, senior cit-
14 izen centers, rehabilitation facilities, shelter
15 workshops, public broadcasting facilities, and
16 facilities that provide health and safety services
17 of a governmental nature), as defined by the
18 President.”.

19 (b) REPAIR, RESTORATION, AND REPLACEMENT OF
20 DAMAGED FACILITIES.—Section 406(a)(3)(B) of the Rob-
21 ert T. Stafford Disaster Relief and Emergency Assistance
22 Act (42 U.S.C. 5172(a)(3)) is amended by striking “com-
23 munications,” and inserting “communications (including
24 public broadcasting),”.

1 **SEC. 305. STATUTE OF LIMITATIONS.**

2 Section 705(a)(1) of the Robert T. Stafford Disaster
3 Relief and Emergency Assistance Act (42 U.S.C. 5205)
4 is amended—

5 (1) by striking “Except” and inserting “Not-
6 withstanding section 3716(e) of title 31, United
7 States Code, and except”; and

8 (2) by striking “disaster or emergency” and in-
9 serting “project completion as certified by the grant-
10 ee”.

11 **SEC. 306. ACTION PLAN TO IMPROVE FIELD TRANSITION.**

12 (a) IN GENERAL.—Not later than 90 days after the
13 date of enactment of this Act, the Administrator of the
14 Federal Emergency Management Agency shall report to
15 the Committee on Transportation and Infrastructure of
16 the House of Representatives and the Committee on
17 Homeland Security and Governmental Affairs of the Sen-
18 ate regarding the plans the agency will undertake for the
19 following:

20 (1) Consistent guidance to applicants on FEMA
21 disaster funding procedures during the response to
22 an emergency.

23 (2) Appropriate record maintenance and trans-
24 fer of documents to new teams during staff transi-
25 tions.

1 (3) Accurate assistance to applicants and grant-
2 ees to ease the administrative burden of obtaining
3 and monitoring assistance.

4 (b) MAINTAINING RECORDS.—The report shall also
5 include a plan for implementing operating procedures and
6 document retention requirements to ensure the mainte-
7 nance of appropriate records throughout the lifecycle of
8 the disaster.

9 (c) NEW TECHNOLOGIES.—Finally, the report shall
10 identify new technologies that further aid the disaster
11 workforce in partnering with State, local, and tribal gov-
12 ernments and private nonprofits in the wake of a disaster
13 or emergency.

14 **SEC. 307. SIMPLIFIED PROCEDURES.**

15 Section 422 of the Robert T. Stafford Disaster Relief
16 and Emergency Assistance Act (42 U.S.C. 5189) is
17 amended by striking “\$35,000” and inserting
18 “\$1,000,000”.

19 **SEC. 308. MANAGEMENT COSTS.**

20 Section 324 of the Robert T. Stafford Disaster Relief
21 and Emergency Assistance Act (42 U.S.C. 5165b) is
22 amended—

23 (1) in subsection (a) by inserting “direct and”
24 before “indirect”; and

25 (2) in subsection (b)—

1 (A) by striking “Notwithstanding” and in-
2 serting the following:

3 “(1) IN GENERAL.—Notwithstanding”.

4 (B) by striking “establish” and inserting
5 the following: “implement the following.”; and

6 (C) by adding at the end the following:

7 “(2) SPECIFIC MANAGEMENT COSTS.—The
8 President shall award the following rates for direct
9 and indirect management costs to allow grantees
10 and subgrantees to be reimbursed up to the fol-
11 lowing percentages of the grant award to cover di-
12 rect and indirect management costs of administering
13 the following programs:

14 “(A) HAZARD MITIGATION.—A grantee
15 under section 404 may be reimbursed not more
16 than 15 percent of the total amount of the
17 grant award under such section of which not
18 more than 10 percent may be used by the
19 grantee and 5 percent by the subgrantee for
20 such costs; and

21 “(B) REPAIR, RESTORATION, AND RE-
22 PLACEMENT OF DAMAGED FACILITIES.—A
23 grantee under section 406 may be reimbursed
24 not more than 10 percent of the total amount
25 of the grant award under such section of which

1 not more than 6 percent may be used by the
2 grantee and 4 percent by the subgrantee for
3 such costs.”.

4 **SEC. 309. DEBTS OWED TO THE UNITED STATES RELATED**
5 **TO DISASTER ASSISTANCE.**

6 (a) DEFINITION.—In this section, the term “covered
7 assistance” means assistance provided—

8 (1) under section 408 of the Robert T. Stafford
9 Disaster Relief and Emergency Assistance Act (42
10 U.S.C. 5174); and

11 (2) in relation to a major disaster or emergency
12 declared by the President under section 401 or 501
13 of the Robert T. Stafford Disaster Relief and Emer-
14 gency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
15 5191) on or after October 30, 2012.

16 (b) WAIVER AUTHORITY.—Notwithstanding section
17 3716(e) of title 31, United States Code, the Administrator
18 of the Federal Emergency Management Agency—

19 (1) subject to paragraph (2), may waive a debt
20 owed to the United States related to covered assist-
21 ance provided to an individual or household if—

22 (A) the covered assistance was distributed
23 based on an error by the Federal Emergency
24 Management Agency;

1 (B) there was no fault on behalf of the
2 debtor; and

3 (C) the collection of the debt would be
4 against equity and good conscience; and

5 (2) may not waive a debt under paragraph (1)
6 if the debt involves fraud, the presentation of a false
7 claim, or misrepresentation by the debtor or any
8 party having an interest in the claim.

9 **SEC. 310. STATUTE OF LIMITATIONS FOR DEBTS OWED TO**
10 **THE UNITED STATES RELATED TO DISASTER**
11 **ASSISTANCE.**

12 Unless there is evidence of civil or criminal fraud, the
13 Administrator, on behalf of the President, shall not ini-
14 tiate new administrative action in any forum to recover—

15 (1) payments made to an individual or house-
16 hold under section 408 of the Robert T. Stafford
17 Disaster Relief and Emergency Assistance Act (42
18 U.S.C. 5174) more than 3 years after the last date
19 on which such payments were made; or

20 (2) funds owed by an individual or household
21 for assistance provided under section 408 of the
22 Robert T. Stafford Disaster Relief and Emergency
23 Assistance Act (42 U.S.C. 5174) more than 3 years
24 after the last date on which such funds were deter-
25 mined to be owed.

1 **TITLE IV—WILDFIRE**
2 **PREVENTION AND MITIGATION**

3 **SEC. 401. WILDFIRE MITIGATION ASSISTANCE.**

4 (a) IN GENERAL.—Section 420 of the Robert T.
5 Stafford Disaster Relief and Emergency Assistance Act
6 (42 U.S.C. 5187) is amended—

7 (1) by redesignating subsection (d) as sub-
8 section (e); and

9 (2) by inserting after subsection (c) the fol-
10 lowing:

11 “(d) HAZARD MITIGATION ASSISTANCE.—Whether
12 or not a major disaster is declared, the President may pro-
13 vide hazard mitigation assistance in accordance with sec-
14 tion 404 in any area affected by a fire for which assistance
15 was provided under this section.”.

16 (b) CONFORMING AMENDMENTS.—The Robert T.
17 Stafford Disaster Relief and Emergency Assistance Act
18 (42 U.S.C. 5121 et seq.) is amended—

19 (1) in section 404(a) (42 U.S.C. 5170c(a))—

20 (A) by inserting before the first period “,
21 or any area affected by a fire for which assist-
22 ance was provided under section 420”; and

23 (B) in the third sentence by inserting “or
24 event under section 420” after “major disaster”
25 each place it appears; and

1 (2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)),
2 by inserting “or event under section 420” after
3 “major disaster” each place it appears.

4 (c) **AUTHORITY TO TRANSFER.**—For major disaster
5 relief funds made available to the Disaster Relief Fund
6 for the specified purpose of wildfire suppression activities
7 on Federal lands, the Administrator of the Federal Emer-
8 gency Management Agency may authorize transfer of
9 these funds to the Department of Interior and the Depart-
10 ment of Agriculture.

11 **SEC. 402. ADDITIONAL ACTIVITIES.**

12 Section 404 of the Robert T. Stafford Disaster Relief
13 and Emergency Assistance Act (42 U.S.C. 5170c) is
14 amended by adding at the end the following:

15 “(f) **USE OF ASSISTANCE.**—Recipients of hazard
16 mitigation assistance provided under this section and sec-
17 tion 203 may use the assistance to conduct the following
18 activities to help reduce the risk of future damage, hard-
19 ship, loss, or suffering in any area affected by—

20 “(1) a wildfire, including—

21 “(A) reseeding ground cover with quick-
22 growing or native species;

23 “(B) mulching with straw or chipped wood;

24 “(C) constructing straw, rock, or log dams
25 in small tributaries to prevent flooding;

1 “(D) placing logs and other erosion bar-
2 riers to catch sediment on hill slopes;

3 “(E) installing debris traps to modify road
4 and trail drainage mechanisms;

5 “(F) modifying or removing culverts to
6 allow drainage to flow freely;

7 “(G) adding drainage dips and con-
8 structing emergency spillways to keep roads
9 and bridges from washing out during floods;

10 “(H) planting grass to prevent the spread
11 of noxious weeds;

12 “(I) installing warning signs;

13 “(J) establishing defensible space meas-
14 ures; and

15 “(K) reducing hazardous fuels; and

16 “(2) earthquake hazards, including—

17 “(A) improvements to regional seismic net-
18 works in support of building a capability for
19 earthquake early warning;

20 “(B) improvements to geodetic networks in
21 support of building a capability for earthquake
22 early warning; or

1 “(C) seismometers, GPS receivers, and as-
2 sociated infrastructure in support of building a
3 capability for earthquake early warning.”.

○